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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STEVE SHAPIRO and STEVE SHAPIRO  
MUSIC,

Plaintiffs,

v.

JUPITERIMAGES CORPORATION,

Defendant.

CASE NO. 3:07-CV-5540 PJH

**JUPITERIMAGES CORPORATION'S  
RESPONSE TO THE COURT'S STANDING  
ORDER RE REMOVED CASES**

Jupiterimages Corporation ("Jupiterimages") hereby responds to the four questions in this Court's Standing Order that the removing defendant(s) should answer:

1. Whether all defendants served at the time of removal joined in the notice of removal. Jupiterimages, the party that filed the Notice of Removal, is the only named defendant.

Doe defendants are disregarded as a matter of law. See 28 U.S.C. § 1441(a) ("For purposes of removal ... the citizenship of defendants sued under fictitious names shall be disregarded."); Newcombe v. Adolf Coors Co., 157 F.3d 686, 690 (9th Cir. 1998) ("28 U.S.C. §

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1 1441(a) explicitly provides that the citizenship of defendants sued under fictitious names shall be  
2 disregarded for purposes of removal. As such, the district court was correct in only considering the  
3 domicile of the named defendants.").

4 2. Whether the notice of removal was dated more than thirty (30) days after the  
5 first defendant was served. The Notice of Removal was filed on the 30th day after service of the  
6 Complaint on Jupiterimages, the only defendant served.

7 3. If the action has been removed on the grounds of diversity jurisdiction,  
8 whether any defendant served at the time of removal is a citizen of California. No defendant is a  
9 California citizen. Jupiterimages, the only defendant, is not a citizen of California.

10 4. If the action has been removed on the grounds of diversity jurisdiction, the  
11 citizenship of all named plaintiffs and all named defendants (including the citizenship of all  
12 members or partners in any non-corporate party). Plaintiffs are California citizens. Jupiterimages,  
13 the only defendant, is a citizen of Arizona and Connecticut.

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15 DATED: November 2, 2007

JEFFER, MANGELS, BUTLER & MARMARO LLP  
JEFFREY K. RIFFER

17 By: --S-- JEFFREY K. RIFFER  
18 JEFFREY K. RIFFER  
19 Attorneys for Defendant JUPITERIMAGES CORP.  
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